

REMARKS

Claims 1-16 are pending in the present application. By this amendment, claims 12 and 15 are amended. Applicants respectfully request reconsideration of the present claims in view of the foregoing amendments and the following remarks.

I. Double Patenting Rejection

Claims 1-16 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-37 of copending Patent Application Serial No. 10/008,511. The Office Action notes that a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c) may be used to overcome a provisional rejection based on a nonstatutory double patenting ground provided the conflicting application is shown to be commonly owned with this application. Accordingly, included with this response is a terminal disclaimer which disclaims the terminal part of the statutory term of any patent granted on Patent Application Serial No. 10/008,888 which would extend beyond the expiration date of the full statutory term of any patent granted on U.S. Patent Application Serial No. 10/008,511. Therefore, withdrawal of this rejection is respectfully requested.

II. Prior Art Rejections

Claim Rejections Under 35 U.S.C. §102(b)

Claims 1-4, 6-8, 10-12, and 15-16 are rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,188,752 to Lesley (hereinafter “Lesley”). This rejection is respectfully traversed.

Claim 1 recites that a method for prepaid communications comprises detecting a predefined condition associated with a communications connection and deducting the cost of the communications connection from the user account, wherein the predefined condition comprises origination of the communications connection from one of a plurality of predefined sources. Similarly, as amended, claim 15 recites that a computer readable medium for prepaid communications comprises a second set of instructions for deducting the cost of a communications connection from the credit in the user account if

a predefined condition associated with the communications connection is detected; and wherein the predefined condition comprises the origination of the communications connection originating from one of a plurality of predefined sources.

Lesley does not teach or suggest a method or computer readable medium for prepaid communications as recited in claims 1 and 15, respectively. On the contrary, Lesley teaches a method for facilitating prepayment for communications services which can be requested by a subscriber by dialing a prepay network service telephone number, e.g., a special “800” number, or by requesting a prepayment service from a prepayment telecommunications device and entering an appropriate account number which is detected by the network. This is not analogous to the method or computer readable medium for prepaid communications as recited in claims 1 and 15, respectively, because Lesley fails to teach or suggest that the prepayment for communications services can be requested by predefining a plurality of sources such that when a communications connection originates from one of the plurality of predefined sources, the cost of the communications connection is deducted from the user account. Instead, Lesley teaches dialing a prepay network service telephone number or entering an appropriate account number in order to facilitate prepayment for communications services.

Lesley further teaches that prepayment for communications services can be facilitated by requesting a prepayment service from a subscriber telecommunications device (e.g., a residence or business telephone). If the caller is calling from the subscriber telecommunications device, the network is already aware of the subscriber account number because the subscriber’s database record includes a subscriber account number field which corresponds to the subscriber’s home residence telephone number or business telephone number. However, this is also not analogous to the method or computer readable medium for prepaid communications as recited in claims 1 and 15, respectively, because Lesley fails to teach that a plurality of sources can be predefined such that when a communications connection originates from one of the plurality of predefined sources, prepayment for communications services is facilitated. Instead of facilitating prepayment for communications services from a *plurality* of predefined sources, Lesley teaches that a caller calling from either the caller’s residence *or* business

telephone, depending on which number corresponds to the subscriber account number field in the database record, can facilitate prepayment for communications services.

For at least the reasons given above, claims 1 and 15 are allowable over Lesley. Since claims 2-4, 6-8, and 10-11 depend from claim 1 and recite additional features, Applicants respectfully submit that Lesley does not anticipate Applicants' claimed invention as embodied in claims 2-4, 6-8, and 10-11 for at least these reasons. Accordingly, withdrawal of these rejections is respectfully requested.

As amended, claim 12 recites that a method for prepaid wireline comprises receiving a proffered code and an origination of a communications connection; if the origination of the call is a predefined source and the proffered code comprises the first access code, deducting the cost of the communications connection from the first prepaid credit amount; and if the origination of the communications connection is the predefined source and the code comprises the second access code, deducting the cost of the communications connection from the second prepaid credit amount. Similarly, claim 16 recites that a computer readable medium for prepaid communications comprises a third set of instructions for detecting a code and origination of communications connection; a fourth set of instructions for deducting the cost of the communications connection from the first prepaid credit amount if the origination line of a phone call is a predefined source; and a fifth set of instructions for deducting the cost of the communications connection from the second prepaid credit amount if the origination of a call is the predefined source and the code is the second access code.

Lesley does not teach or suggest a method or computer readable medium for prepaid wireline as recited in claims 12 and 16, respectively. On the contrary, Lesley teaches that a database record includes a subscriber account number, which corresponds to the subscriber's home residence telephone number or business telephone number. If the subscriber makes a call from his residence or business telephone, whichever is defined in the subscriber's database record, the network is already aware of the subscriber account number. The network may also require entry of a security code to make sure the service request is legitimate, and if the request is valid, then authorizes the telecommunications service up to the prepaid amount in the subscriber database record. However, Lesley fails to teach or suggest that calls originating from the same predefined

source, either the subscriber's residence or business telephone number, may be deducted from a first prepaid amount or a second prepaid amount depending on whether the security code entered is a first security code or a second security code. Instead, Lesley teaches that the network recognizes calls made from a subscriber's residence or business telephone, whichever is set out in the subscriber's database record; validates an entered security code by determining whether the entered security code corresponds to the security code set out in the subscriber's database record; and debits the amount stored in the subscriber's database record based on the fee associated with the call. If the security code entered does not correspond to the security code set out in the subscriber's database, then the request for prepaid service is not authorized. Thus, a call originating from the subscriber's residence or business telephone, depending on the subscriber account number set out in the subscriber's database record, is debited from the amount stored in the subscriber's database record instead of from a first or second prepaid amount depending on whether the security code entered is a first security code or a second security code.

For at least these reasons claims 12 and 16 are allowable over Lesley. Since claim 14 depends from claim 2 and recites additional features, Applicants respectfully submit that Lesley does not anticipate Applicants' claimed invention as embodied in claim 14 for at least these reasons. Accordingly, withdrawal of these rejections is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 5, 9, and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lesley in view of United States Patent No. 6,195,422 to Jones et al. (hereinafter "Jones"). This rejection is respectfully traversed.

For at least the reasons given above, claims 1 and 12 are allowable over Lesley. Since claims 5 and 9 depend from claim 1 and recite additional features, and claim 13 depends from claim 12 and recites additional features, Applicants respectfully submit that the combined teaching of Lesley and Jones does not make obvious Applicants' claimed invention as embodied in claims 5, 9, and 13. Accordingly, withdrawal of these rejections is respectfully requested.

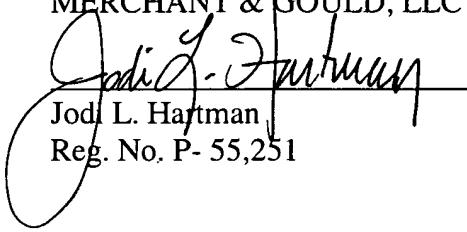
CONCLUSION

For at least these reasons, Applicants assert that the pending claims 1-16 are in condition for allowance. Applicants further assert that this response addresses each and every point of the Office Action, and respectfully requests that the Examiner pass this application with claims 1-16 to allowance. Should the Examiner have any questions, please contact Applicants' undersigned attorney at 404.954.5042.

Respectfully submitted,

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